

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	2:02-cr-00201-LRH-LRL
Plaintiff,)	
)	<u>MINUTE ORDER</u>
vs.)	
)	March 3, 2009
EDWARD STAIN,)	
)	
Defendant.)	
_____)	

PRESENT: THE HONORABLE LARRY R. HICKS, UNITED STATES DISTRICT JUDGE

DEPUTY CLERK: ROSEMARIE MILLER REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court are Defendant's Notice of Intention to File § 2255 and Request for Equitable Tolling Post-Ponement and or Extension of Time to File (#276¹) and Second Letter to the Courts Seeking an Appropriate Orders for Post-Pone and/or Extend the time to File (#279), which appear to be requesting a prospective tolling of the Statute of Limitations for filing a motion under Title 28, U.S.C. § 2255.

It appearing that the Defendant has until June 30, 2009, in which to file a prospective motion under Title 28, U.S.C. § 2255 and that he has made no attempt to show "reasonable diligence" to gain access to legal or file materials and that he has sufficient time with which to prepare and present his prospective motion, the court will treat his request as motions and the same are DENIED.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: /s/
Deputy Clerk

¹Refers to court's docket number.